

Arnold B. Calmann  
Jeffrey Soos  
**SAIBER SCHLESINGER SATZ & GOLDSTEIN LLC**  
One Gateway Center  
13<sup>th</sup> Floor  
Newark, New Jersey 07108-5311  
(973) 622-3333

Edgar H. Haug  
Porter F. Fleming  
Stephen J. Lieb  
**FROMMER, LAWRENCE & HAUG LLP**  
745 Fifth Avenue  
New York, New York 10151  
(212) 588-0800

Attorneys for Plaintiff, Allure Home Creation Co., Inc.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

-----X	:	
ALLURE HOME CREATION CO., INC.,	:	Civil Action No. 03-193 (FSH)(PS)
	:	
Plaintiff,	:	<i>Document Filed Electronically</i>
	:	
v.	:	<b>PLAINTIFF'S EMERGENCY NOTICE</b>
	:	<b>OF APPEAL ON SHORT NOTICE</b>
	:	<b>FROM MAGISTRATE JUDGE</b>
ZAK DESIGNS, INC.,	:	<b>SHWARTZ'S APRIL 17, 2006</b>
	:	<b>ORDER, REQUEST FOR STAY,</b>
Defendant.	:	<b>CONSOLIDATION OF APPEALS, AND</b>
	:	<b><u>RELATED EXPEDITED RELIEF</u></b>
-----X	:	

**COUNSEL:**

**PLEASE TAKE NOTICE** that, pursuant to Fed.R.Civ.P. 72(a) and Local Civil Rule 72.1(c), on **May 22, 2006 at 10:00 a.m.**, or on short notice as requested herein, on such earlier date as scheduled by the Court at its earliest convenience, Plaintiff Allure Home Creation Co., Inc. ("Allure") shall appear before the Honorable Faith S. Hochberg, U.S.D.J., at the United States Post Office & Courthouse Building, Newark, New Jersey, on appeal of the Order of

United States Magistrate Judge Patty Shwartz dated April 17, 2006, to: (i) stay said Order, (ii) reverse and vacate said Order, (iii) consolidate the within Appeal with Allure's Appeal of the Order of United States Magistrate Judge Patty Shwartz dated March 29, 2006 previously filed with the Court [Docket # 129], and (iv) request an expedited hearing of the consolidated Appeals.

**PLEASE TAKE FURTHER NOTICE** that, in support of the within appeal, Allure shall rely upon the Brief and Declaration of Stephen J. Lieb, Esq. (with Exhibits), submitted concurrently herewith in support thereof, as well as upon oral argument which is specifically requested.

Also enclosed herein is a proposed Order for the Court's consideration.

Respectfully submitted,

**SAIBER SCHLESINGER SATZ  
& GOLDSTEIN, LLC**  
Attorneys for Plaintiff  
Allure Home Creation Co., Inc.

/s/ Arnold B. Calmann

Arnold Calmann  
Jeffrey Soos  
One Gateway Center, 13th Floor  
Newark, New Jersey 07102-5311  
(973) 622-3333

Edgar H. Haug  
Porter F. Fleming  
Stephen J. Lieb  
**FROMMER LAWRENCE & HAUG, LLP**  
745 Fifth Avenue  
New York, New York 10151

Date: April 19, 2006